

The Virginia Declaration of Rights (George Mason's Draft)

(Copy of the first Draught by G. Mason.)

*A Declaration of Rights made by the
Representatives of the good People of Virginia,
assembled in full and free Convention; which
Rights do pertain to them and their Posterity,
as the Basis and Foundation of Government.)*

*1. That all men are created equally free & independent, & have
certain inherent natural Rights, of which they can not, by
any compact, deprive or direct their Posterity; among which
are the Enjoyment of Life & Liberty, with the Means of acquiring &
possessing Property, & pursuing & obtaining Happiness & Safety.*

*2. That all Power is by God & Nature vested in, & consequently
derived from the People; That Magistrates are their Trustees &
Servants, and at all Times amenable to them.*

*3. That Government is or ought to be, instituted for the
common Benefit, protection & Security of the People, Nation
or Community. Of all the various Modes & Forms of Govern-
ment that is best, which is capable of producing the greatest
Degree of Happiness & Safety, & is most effectually secured against
the Danger of mis-Administration; and that whenever any Go-
vernment shall be found inadequate or contrary to these pur-
poses, a Majority of the Community hath an indubitable, unalien-
able, & inseparable Right, to reform, alter, or abolish it, in
such*

**Citation: George Mason, Declaration of Rights, 1776, Accession 51818,
Personal Papers Collection, Library of Virginia.**

The Virginia Declaration of Rights (George Mason's Draft) p.2

such Manner as shall be judged most conducive to the Publick Weal.

4. That no Man, or Set of Men are intitled to exclusive or separate Emoluments or Privileges from the Community, but in consideration of publick Services; which not being assignable, neither ought the Offices of Magistrate, Legislator, or Judge, to be hereditary.

5. That the legislative & executive Powers of the State should be separate & distinct from the judicial; and that the Members of the two first may be restrained from Oppression by declining & participating the Sufferings of the People, they should at fixed Periods, be reduced to a private Station, & return into that State from which they were originally taken; and the Vacancies be supplied by frequent, certain & regular Elections.

6. That Elections of Members, to serve as Representatives of the People in the Legislature, ought to be free, and that all Men having sufficient Evidence of permanent common Interest with & Attachment to the Community, have the Right of Suffrage, and can not be taxed, or deprived of their Property for publick Uses, without their own Consent, or that of their Representatives so elected, nor bound by any Law to which they have not, in like Manner, assented for the common Good.

7. That all Powers of suspending Laws, or the Execution of Laws, by any Authority, without Consent of the Representatives of the People, is injurious to their Rights, and ought not to be exercised.

That

Citation: George Mason, Declaration of Rights, 1776, Accession 51818, Personal Papers Collection, Library of Virginia.

The Virginia Declaration of Rights (George Mason's Draft) p.3

8. That in all capital or criminal prosecutions, a man hath a right to demand the cause & nature of his accusation, to be confronted with the Accusers & witnesses, to call for evidence in his favour, and to a speedy Trial by an impartial Jury of his Vicinage, without whose unanimous Consent He can not be found guilty, nor can he be compelled to give evidence against himself; and that no Man be deprived of his Liberty, except by the Law of the Land, or the Judgment of his Peers.

9. That excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel & unusual Punishments inflicted.

10. That in controversies respecting property, and in Suits between Man & Man, the ancient Trial by Jury is preferable to any other, & ought to be held sacred.

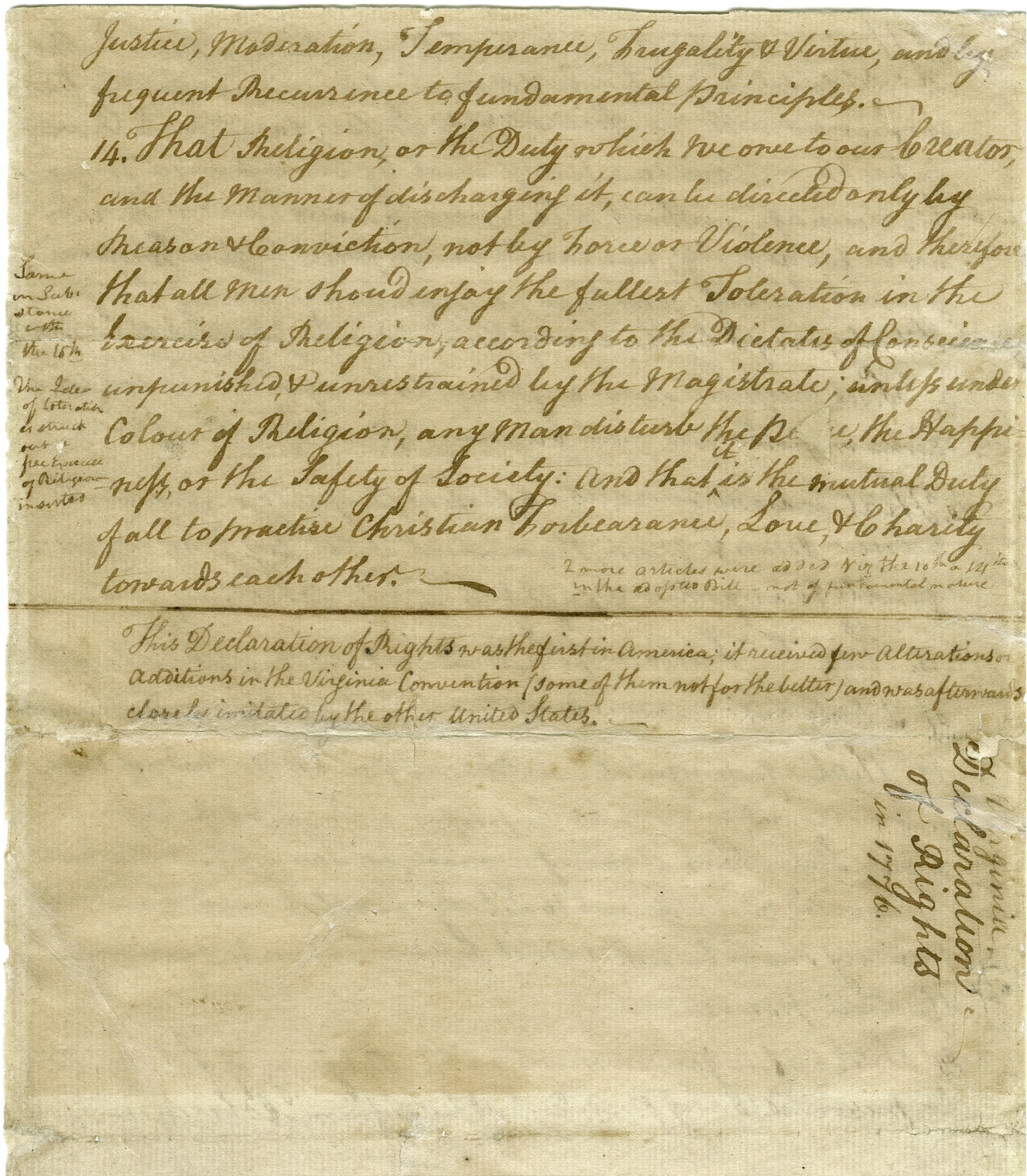
11. That the Freedom of the Press is one of the great Bulwarks of Liberty, and can never be restrained but by despotic Government.

12. That a well regulated Militia, composed of the Body of the People trained to Arms, is the proper, natural, & safe Defence of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty; and that, in all cases, the Military should be under strict Subordination to, & governed by the civil power.

13. That no free Government, or the Blessing of Liberty, can be preserved to any people, but by a firm Adherence to Justice

Citation: George Mason, Declaration of Rights, 1776, Accession 51818, Personal Papers Collection, Library of Virginia.

The Virginia Declaration of Rights (George Mason's Draft) p.4



Citation: George Mason, Declaration of Rights, 1776, Accession 51818, Personal Papers Collection, Library of Virginia.